

REMARKS

This Amendment is submitted preliminary to the issuance of an Office Action in the present application and in response to the Official Action of May 14, 2008.

Claims 1-14, 16-17, 19, 20 are pending in the application. Claims 1, 7, 8, 16-17 have been amended. Claims 12-14, 19-20 have been canceled. No claim has been added. No amendment to the specification has been made. No claim fee is due.

Claims 1, 3-4, 6-11, 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hahn et al., of record, in view of St. Onge, of record.

Claims 2, 3, 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hahn et al. in view of St. Onge and further in view of either Knox et al., or Sullivan, or Swisher, or Ahn et al., or Petrovic, or Fisher, or Ty;rer et al., all of record.

Claims 12-13, 16, 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over EP document '583 in view of St. Onge.

Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over EP document '583 in view of St. Onge, and further in view of Hahn et al..

Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over EP document '583 in view of St. Onge, and further in view of either Knox et al., or Sullivan, or Swisher, or Ahn et al., or Petrovic, or Fisher, or Ty;rer et al., or Dennehey et al.

Applicant has amended independent claim 1 to more clearly set forth the structure of the second connecting means in the form of a cooperating rectangular recess and rectangular elevation combination between the parts to be interconnected in order to transmit tensile forces. The recess and the elevation extend hereby in parallel relationship to the longitudinal axis of the sewer pipe. Support for the additions to claim 1 can be found in Fig. 5. Claims 7 and 8 have been amended to make them consistent with the changes to claim 1. The other independent claim 16 has been amended to more clearly set forth the steps to realize a connection between two sewer pipes. More specifically, claim 16 now sets forth the need to have one of the sewer pipes in an open position to enable the connection to the other

sewer pipe. Claim 17 has been amended to make it consistent with the changes to claim 16.

The Examiner readily acknowledges that Hahn et al. fail to disclose the presence of connecting means in order to transmit tensile forces. In other words, Hahn et al. do not disclose the presence of the "second" connecting means, as set forth in claim 1. In order to bridge the absence of this teaching, the Examiner applies the St. Onge reference and in particular to Figs. 6, 7 thereof which show the interconnection of two pipe sections. As shown in Figs. 6, 7 and described in detail in col. 5, ll. 13-34, the ends of the pipe sections are configured in the form of **slanted** ramps which have a female portion and a male portion, respectively. When connecting the confronting ends of the pipe sections, the female portion of one pipe section is pushed over the male section of the other pipe section to effect a snap connection. As a result of the slanted ramps, there is stress on the pipe section ends during interconnection of the pipe section, because the female portion has to expand outwardly while the male portion contracts to permit the snap connection. Reference is made to col. 5, ll. 20-24 in St. Onge. In contrast thereto, claim 1 sets forth the parallel relationship of the recess and elevation with respect to the longitudinal axis of the sewer pipe so that the interconnection between two pipes does not expose the pipe ends to stress, when one pipe end is placed in the other pipe end. Thus, a combination of Hahn et al. with St. Onge will not produce the present invention, as set forth in claim 1.

For the reasons set forth above, it is applicant's contention that neither Hahn et al. nor St. Onge, nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 1.

As for the rejection of the retained dependent claims 2-11, these claims depend on claim 1, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

With respect to the rejection of independent claim 16, the Examiner also EP '583 readily acknowledges that EP '583 fails to disclose the presence of "second" connecting means in order to transmit tensile forces. Again, to bridge the absence of

this teaching, the Examiner applies the St. Onge reference in a same way, as discussed *supra*. Claim 16, as now on file, clearly sets forth the requirement to open one sewer pipe in order to be able to interconnect the ends of two sewer pipes. In other words, the pipe shells of one sewer pipe must be unfolded in order to allow the interconnection of the two sewer pipes by engagement of the elevation in one sewer pipe in a recess of the other sewer pipe. In contrast thereto, St. Onge merely discloses one end of a pipe section to be pushed over the end of another pipe section, with the resultant stress being caused as discussed above. Thus, a combination of EP '583 with St. Onge will not produce the present invention, as set forth in claim 16.

For the reasons set forth above, it is applicant's contention that neither EP '583 nor St. Onge, nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 16.

As for the rejection of the retained dependent claim 17, this claim depends on claim 16, shares its presumably allowable features, and therefore it is respectfully submitted that claim 17 should also be allowed.

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly

appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: November 24, 2008
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212)244-5500
HMF:af